

**APPROVED
PROCEEDINGS OF THE OTTAWA COUNTY
BOARD OF COMMISSIONERS**

**Tuesday, May 11, 2004 1:30 PM
Fillmore Administration Building - Board Room
12220 Fillmore Street, West Olive**

The Ottawa County Board of Commissioners met on Tuesday, May 11, 2004, at 1:30 p.m. and was called to order by the Chair.

Mrs. Kortman pronounced the invocation.

The Clerk led in the Pledge of Allegiance to the Flag.

Present at roll call: Mrs. Kortman, Messrs. Kuyers, Swartout, Mrs. Ruiters, Messrs. Rinck, Rycenga, Schrotenboer, Berghorst, VanderLaan, Vander Kam. (10)

Absent: Ms. Visscher. (1)

Public Comments and Communications from County Staff

John VanWaarden, 1864 Blue Isle Ct., Park Township, stated the Park 12 Master Plan is a terrific plan and will benefit the citizens of Ottawa County.

Stu Visser, 14497 Edmeer Dr., Park Township, reported overwhelming support from Park Township residents for the Park 12 Master Plan.

Donald Schiele, 15306 State Rd., Spring Lake, opposes the elimination of the position of the Ottawa County Surveyor.

Renee Kolean, 16480 New Holland, Park Township, member of the Park Township Planning Commission, supports the Park 12 Master Plan.

Kurt VanOrder, Allegan County Surveyor, opposes the elimination of the position of the Ottawa County Surveyor.

Don Gilchrist, P.O. Box 121, Paw Paw, Michigan, VanBuren County Surveyor, opposes the elimination of the position of the Ottawa County Surveyor.

Chris Cline, 5691 Mary Elizabeth, Allendale Township, opposes the elimination of the position of the Ottawa County Surveyor.

B/C 04-117 Mr. VanderLaan moved to approve the agenda of today as presented. Mr. Schrotenboer supported the motion and the motion passed.

B/C 04-118 Mr. VanderLaan moved to approve the following Consent Resolutions:

1. To approve the minutes of the April 27, 2004, Board of Commissioners Meeting.
2. To receive as information the Correspondence Log 333.
3. To authorize the payroll of May 11, 2004, in the amount of \$499.75.

4. To approve the general claims in the amount of \$2,942,848.63 as presented by the summary report for April 19, 2004, through April 30, 2004.
5. To accept the following resignations from the Ottawa County Local Emergency Planning Committee (LEPC):

Lt. Larry Beld - OC Sheriff's Department
Dick Davis - Zeeland Chemicals
Dave Dongvillo - Royster Clark
Bill Lamain - OC Health Department
Les Toth - OC Health Department
Chief Jerry Paauwe - Georgetown Charter Township Fire Department
Paul Shemanski - International Association of Machinists
Cornie Vander Kam - OC Board of Commissioners
Becky Vargo - Grand Haven Tribune

Mr. Schrotenboer supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Berghorst, Kuyers, VanderLaan, Mrs. Kortman, Messrs. Vander Kam, Schrotenboer, Mrs. Ruiter, Messrs. Rycenga, Rinck, Swartout. (10)

- B/C 04-119 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act 342 Bonds in the amount of \$1,785,000 to finance the Jamestown Township's 2004 Water and Sewer Improvements. Mr. Rinck supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Kuyers, Berghorst, Rinck, VanderLaan, Mrs. Kortman, Mr. Rycenga, Mrs. Ruiter, Messrs. Vander Kam, Schrotenboer, Swartout. (10)
- B/C 04-120 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act 342 Bonds in the amount of \$3,040,000 to finance the Zeeland Township 2004 Wastewater System Improvements. Mr. Schrotenboer supported the motion and the motion passed as shown by the following votes: Yeas: Mr. Schrotenboer, Mrs. Kortman, Messrs. Rycenga, Vander Kam, Mrs. Ruiter, Messrs. Kuyers, Rinck, VanderLaan, Berghorst, Swartout. (10)
- B/C 04-121 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act No. 342 bonds in the amount not-to-exceed \$650,000 to refund the 1996 Jamestown Township Water Extension bonds. Mr. Berghorst supported the motion and the motion passed as shown by the following votes: Yeas: Mrs. Kortman, Messrs. Vander Kam, Kuyers, VanderLaan, Mrs. Ruiter, Messrs. Berghorst, Rinck, Rycenga, Schrotenboer, Swartout. (10)
- B/C 04-122 Mr. Kuyers moved to approve and authorize the Board Chairperson and Clerk to sign the resolution to eliminate the elected position of County Surveyor, effective January 1, 2005. Mr. Rinck supported the motion and the motion passed as shown by the following votes: Yeas: Mrs. Ruiter, Mrs. Kortman, Messrs. Rinck, Berghorst, Rycenga, Vander Kam, VanderLaan, Kuyers, Schrotenboer, Swartout. (10)
- B/C 04-123 Mr. Kuyers moved to concur with the recommendation of the Parks and Recreation Commission and authorize the naming of a trail at the Rosy Mound Natural Area in honor of Jean Laug-Carroll, a past member of the Parks and Recreation Commission, and to authorize the installation of a plaque of recognition. Mr. Rinck supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Rinck, Schrotenboer, Kuyers, Vander Kam, Ms. Kortman, Messrs. VanderLaan, Rycenga, Berghorst, Mrs. Ruiter, Mr. Swartout. (10)
- B/C 04-124 Mr. Kuyers moved to approve and authorize the Board Chairperson and Clerk to sign the resolution approving the "Twelve Park Parcels at Ottawa Beach Master Plan Study". Mr. VanderLaan supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Rycenga, Vander Kam, Mrs. Kortman, Messrs. VanderLaan, Berghorst, Kuyers, Schrotenboer, Rinck, Mrs. Ruiter, Mr. Swartout. (10)
- B/C 04-125 Mr. Kuyers moved to approve and authorize the Board Chairperson and Clerk to sign the resolution re-appointing and setting the terms of office for the Ottawa County Community Corrections Advisory Committee, with the following members and positions:

Sheriff Gary Rosema - County Sheriff
Chief John A. Kruithoff - Chief, City Police Department
The Hon. Edward R. Post - Circuit Court Judge

The Hon. Susan Jonas - District Court Judge
The Hon. Mark Feyen - Probate Court Judge
Joyce Kortman - County Commissioners
Cathy Simons - Employment and Training
Ronald J. Frantz - Prosecutor
Joseph C. Legatz - Defense Attorney
John R. Meengs - Business Community
Posted 4/27/04 - Community Media
Douglas J. Kamphuis - Circuit Court Probation
John VanRegenmorter - General Public

Mr. Rinck supported the motion and the motion passed as shown by the following votes: Yeas: Mr. Vander Kam, Mrs. Ruiten, Messrs. VanderLaan, Kuyers, Schrotenboer, Mrs. Kortman, Messrs. Berghorst, Rinck, Rycenga, Swartout. (10)

Greg Rapplepe, Corporation Counsel, explained that a question was raised - Is this in contravention of the county's appointment policy? The answer is no. This is, however, somewhat extraordinary. The county's appointment policy provides in subsection "E" that the policy which would require advertising these positions for 90 days may be varied and says the timelines and procedural requirements set forth in this policy may be varied by the Ottawa County Board of Commissioners to fill unexpired vacancies created by the Board of Commissioners, or to assure that appointments are made on a timely basis. The Community Corrections Advisory Committee is a statutorily advisory board that the Board has appointed in the past. The problem is that the terms of everyone had expired and they had not been reappointed. When a vacancy came up on that Board, we began looking at this issue and found that this had not been done. Therefore, some extraordinary action is required by this Board. Virtually, all of these positions are statutory so we are eliminating any advertising and they are also being reappointed for the terms that they would have had if they had been appointed on a timely basis.

B/C 04-126

Mr. Kuyers moved to approve and authorize the nominations of the following persons for membership on the Ottawa County Local Emergency Planning Committee (LEPC) to be forwarded to the State of Michigan:

Darwin Baas - OC Environmental Health
Tom Bosscher - Radio Station WCSG (Cornerstone University)
Eileen Florea - Senior Resources
Jack Hankiewicz - Sasakat Consulting
Dr. Paul Heidel - OC Health Department
Chief Dan Henderson - Holland Fire Department
Don Hutchens - Sara Lee Foods
George Keefe - Migrant Zeeland
Lt. Steve Kempker - OC Sheriff's Department
Dr. David E. Klingensmith - GVSU
Chief Jason Ling - Georgetown Township Fire
Elisabeth McNeil - OC Health Department
Vito Palazzolo - OC Health Department
Ken Porter - Pfizer-Holland Chemical
Mark Tans - Hudsonville Emergency Management
Jaff VanderWerf - Royster Clark

Mr. VanderLaan supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Rinck, Berghorst, Mrs. Ruiten, Mr. Schrotenboer, Mrs. Kortman, Messrs. Rycenga, Vander Kam, Kuyers, VanderLaan, Swartout. (10)

Discussion Items

A power point presentation of the Ottawa Conservation District was presented by Bill Miller, Chairperson of the Board, and Peggy L. Wieck, Administrator.

A recess was taken from 2:52 p.m. - 2:56 p.m.

B/C 04-127

Mr. Schrotenboer moved to go into a Closed Session at 2:56 p.m. to discuss property matter (two-thirds roll call vote required). Mr. Berghorst supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. VanderLaan, Vander Kam, Rycenga, Schrotenboer, Mrs. Kortman, Messrs. Kuyers, Berghorst,

Mrs. Ruiter, Messrs. Rinck, Swartout. (10)

- B/C 04-128 Mr. VanderLaan moved to rise from Closed Session at 3:02 p.m. Mr. Rinck supported the motion and the motion passed.
- B/C 04-129 Mr. Schrotenboer moved to go into a Closed Session at 3:02 p.m. to discuss a written opinion of Counsel (two-thirds roll call vote required). Mr. VanderLaan supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Berghorst, Kuyers, VanderLaan, Mrs. Kortman, Messrs. Vander Kam, Schrotenboer, Mrs. Ruiter, Messrs. Rycenga, Rinck, Swartout. (10)
- B/C 04-130 Mrs. Ruiter moved to rise from Closed Session at 3:40 p.m. Mr. Schrotenboer supported the motion and the motion passed.
- B/C 04-131 Mr. Kuyers moved to purchase 26.74 acres of the Macatawa River in Zeeland Township at a cost of \$120,330 plus closing costs to expand the Upper Macatawa Conservation Area with funding from the Parks and Recreation budget and to authorize the Parks and Recreation Manager to sign any required documents to finalize this transaction. Mr. Schrotenboer supported the motion and the motion passed as shown by the following votes: Yeas: Messrs. Kuyers, Berghorst, Rinck, VanderLaan, Mrs. Kortman, Mr. Rycenga, Mrs. Ruiter, Messrs. Vander Kam, Schrotenboer, Swartout. (10)

The County Administrator's report was presented.

Several Commissioners reported on meetings attended and future meetings to be held.

- B/C 04-132 Mr. VanderLaan moved to adjourn at 3:45 p.m. subject to the call of the Chair. Mr. Rinck supported the motion and the motion passed.

DANIEL C. KRUEGER, Clerk
Of the Board of Commissioners

DENNIS W. SWARTOUT, Chairman
Of the Board of Commissioner

Agenda

May 5, 2004

To All Ottawa County Commissioners:

The Ottawa County Board of Commissioners will meet on **Tuesday, May 11, 2004 at 1:30 p.m.**, for the regular May meeting of the Board at the Ottawa County Fillmore Street Complex, West Olive, Michigan.

The Agenda is as follows:

1. Call to Order by the Chairperson
2. Invocation - Commissioner Schrotenboer
3. Pledge of Allegiance to the Flag
4. Roll Call
5. Presentation of Petitions and Communications
6. Public Comments and Communications from County Staff

7. Approval of Agenda

8. Actions and Reports

A. Consent Resolutions:

1. Suggested Motion:
To approve the Minutes of the April 27, 2004 Board of Commissioners Meeting.

From the Finance and Administration Committee

2. Suggested Motion:
To receive as Information the Correspondence Log 333.
3. Payroll
Suggested Motion:
To authorize the payroll of May 11, 2004 in the amount of \$.
4. Monthly Accounts Payable for April 19 to April 30, 2004
Suggested Motion:
To approve the general claims in the amount of \$2,942,848.63 as presented by the summary report for April 19, 2004 through April 30, 2004.
5. Resignations from the Ottawa County Local Emergency Planning Committee (LEPC)
Suggested Motion:
To accept the following resignations from the Ottawa County Local Emergency Planning Committee (LEPC):
Lt. Larry Beld – OC Sheriff's Department
Dick Davis – Zeeland Chemicals
Dave Dongvillo – Royster Clark
Bill Lamain – OC Health Department
Les Toth – OC Health Department
Chief Jerry Paauwe – Georgetown Charter Township Fire Department
Paul Shemanski – International Association of Machinists
Cornie VanderKam – OC Board of Commissioners
Becky Vargo – Grand Haven Tribune

B. Action Items:

From the Finance and Administration Committee

6. Bond Resolution – Jamestown Township 2004 Water and Sewer Improvements
Suggested Motion:
To approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act 342 Bonds in the amount of \$1,785,000 to finance the Jamestown Township's 2004 Water and Sewer Improvements.
7. Bond Resolution – Zeeland Township 2004 Wastewater System Improvements
Suggested Motion:
To approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act 342 Bonds in the amount of \$3,040,000 to finance the Zeeland Township 2004 Wastewater System Improvements.
8. Bond Refunding Resolution– Jamestown Township Water Extension Series 1996 Bonds
Suggested Motion:
To approve and authorize the Board Chairperson and Clerk to sign the resolution authorizing the Ottawa County Road Commission to issue Act No. 342 bonds in the amount not-to-exceed \$650,000 to refund the 1996 Jamestown Township Water Extension bonds.

From the Planning and Policy Committee

9. Resolution to Eliminate Elected Position of County Surveyor
Suggested Motion:

To approve and authorize the Board Chairperson and Clerk to sign the resolution to eliminate the elected position of County Surveyor, effective January 1, 2005.

10. Rosy Mound Natural Area – To Name the “Jean Laug-Carroll Trail”

Suggested Motion:

To concur with the recommendation of the Parks and Recreation Commission and authorize the naming of a trail at the Rosy Mound Natural Area in honor of Jean Laug–Carroll, a past member of the Parks and Recreation Commission, and to authorize the installation of a plaque of recognition.

11. Resolution to Approve the “Twelve Park Parcels at Ottawa Beach Master Plan Study”

Suggestion:

To approve and authorize the Board Chairperson and Clerk to sign the resolution approving the “Twelve Park Parcels at Ottawa Beach Master Plan Study.”

12. Resolution to Re-appoint and Set Terms of Office for the Ottawa County Community Corrections Advisory Committee

Suggestion:

To approve and authorize the Board Chairperson and Clerk to sign the resolution re-appointing and setting the terms of office for the Ottawa County Community Corrections Advisory Committee, with the following members and positions:

Sheriff Gary Rosema - County Sheriff
Chief John A. Kruithoff - Chief, City Police Department
The Hon. Edward R. Post - Circuit Court Judge
The Hon. Susan Jonas - District Court Judge
The Hon. Mark Feyen - Probate Court Judge
Joyce Kortman - County Commissioner
Cathy Simons - Employment and Training
Ronald J. Frantz - Prosecutor
Joseph C. Legatz - Defense Attorney
John R. Meengs - Business Community
Posted 4/27/04 - Community Media
Douglas J. Kamphuis - Circuit Court Probation
John VanRegenmorter - General Public

13. Approval of Nominations to the Ottawa County Local Emergency Planning Committee (LEPC)

Suggested Motion:

To approve and authorize the nominations of the following persons for membership on the Ottawa County Local Emergency Planning Committee (LEPC) to be forwarded to the State of Michigan:

Darwin Baas – OC Environmental Health
Tom Bosscher – Radio Station WCSG (Cornerstone University)
Eileen Florea – Senior Resources
Jack Hankiewicz – Sasakat Consulting
Dr. Paul Heidel – OC Health Department
Chief Dan Henderson – Holland Fire Department
Don Hutchens – Sara Lee Foods
George Keefe – Migrant Zeeland
Lt. Steve Kempker – OC Sheriff’s Department
Dr. David E. Klingensmith - GVSU
Chief Jason Ling – Georgetown Township Fire
Elisabeth McNeil – OC Health Department
Vito Palazzolo – OC Health Department
Ken Porter – Pfizer-Holland Chemical
Mark Tans – Hudsonville Emergency Management
Jaff VanderWerf – Royster Clark

C. Discussion Items:

14. Closed Session - Property Matters

Suggested Motion:

To go into a Closed Session to discuss property matters.

Two-thirds roll call vote required.

15. Closed Session – Written Opinion of Counsel

Suggested Motion:

To go into a Closed Session to discuss a written opinion of Counsel.

Two-thirds roll call vote required.

- Ottawa Conservation District PowerPoint Presentation
(Bill Miller, Chairperson of the Board and Peggy L. Weick, Administrator)

D. Report of the County Administrator

E. General Information, Comments, and Meetings Attended

9. Public Comments

10. Adjournment